

DOCKET NO.: WYNC-0677/AM100299(CON)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Adam M. Gilbert, et al.

Confirmation No.: Not Yet Assigned

Application No.: 10/663,533

Group Art Unit: Not Yet Assigned

Filing Date: September 16, 2003

Examiner: Not Yet Assigned

For: 8-AZA-BICYCLO[3.2.1]OCTAN-3-OL DERIVATIVES OF 2,3-DIHYDRO-1,4-BENZODIOXAN AS 5-HT_{1A} ANTAGONISTS

DATE OF DEPOSIT: *January 21, 2004*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Elizabeth A. McLoud

TYPED NAME: Elizabeth A. McLoud

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

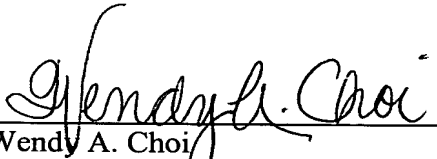
EXCEPT THAT:

- ☒ In view of the voluminous nature of references **5, 7, 11, 12, 15 and 16**, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **1-3 and 19-24** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **10/128,057**, filed **April 23, 2002**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ There are no listed references which are not in the English language.

Date: January 21, 2004


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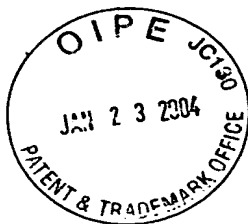
Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. WYNC-0677/ AM100299(CON)		Application No. 10/663,533	
	Applicant Adam M. Gilbert, et al.			
	Filing Date September 16, 2003		Group Not Yet Assigned	
	Confirmation No. Not Yet Assigned			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
	1	Boast, C., et al., <i>Neurobiology of Learning and Memory</i> , 1999, 71(3), 259-271		
	2	Carli, M., et al., <i>Neuropharmacology</i> , 1999, 38(8), 1165-1173		
	3	Meneses, A., et al., <i>Neurobiology of Learning and Memory</i> , 1999, 71(2), 207-218		
	4	Artigas, F., et al., "Pindolol induces a rapid improvement of depressed patients treated with serotonin reuptake inhibitors," <i>Arch Gen Psychiatry</i> , 1994, 248-251		
*	5	Bundgaard, (Ed.), <i>Design of Prodrugs</i> , Elsevier, 1985		
	6	Bundgaard, H., et al., "(C) Means to enhance penetration; (1) Prodrugs as a means to improve the delivery of peptide drugs," <i>Advanced Drug Delivery Reviews</i> , 1992, 8, 1-38		
*	7	Bundgaard, <i>J. of Pharmaceutical Sciences</i> , 1988, 7(285 et seq.)		
	8	Bundgaard, H., et al. (Eds.), "Design and Application of Prodrugs," <i>Textbook of Drug Design and Development</i> , 1991, Chap. 5, 113-191		
	9	Cheetham, S.C., et al., "[³ H]paroxetine binding in rat frontal cortex strongly correlates with [³ H]5-HT uptake: effect of administration of various antidepressant treatments," <i>Neuropharmacol.</i> , 1993, 32(8), 737-743		
	10	Cheng, Y.-C., et al., "Relationship between the inhibition constant (K_1) and the concentration of inhibitor which causes 50 per cent inhibition (I_{50}) of an enzymatic reaction," <i>Biochem. Pharmacol.</i> , 1973, 22, 3099-318		
EXAMINER		DATE CONSIDERED		

* A copy of these references will not be forwarded to the U.S. Patent and Trademark Office since they are believed to be too voluminous and easily obtainable by the Examiner.



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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
*	11	Higuchi, et al. (Eds.), Prodrugs as Novel Drug Delivery Systems, <i>American Chemical Society</i> , 1975	
*	12	Jacques, et al., Enantiomers, Racemates and Resolutions, <i>Wiley Interscience</i> , NY, 1981	
	13	Lazareno, S., et al., "Pharmacological characterization of acetylcholine-stimulated [³⁵ S]-GTPγS binding mediated by human muscarinic m1-m4 receptors: antagonist studies," <i>Br. J. Pharmacol.</i> , 1993, 109, 1120-1127	
	14	Perez, V., et al., "A double-blind, randomized, placebo-controlled trial of pindolol augmentation in depressive patients resistant to serotonin reuptake inhibitors," <i>Arch. Gen. Psychiat.</i> , April 1999, 56, 375-379	
*	15	Remington's Pharmaceutical Sciences, 17 th Ed., Gennaro, A.R. (Ed.), <i>Mack Publishing Company</i> , Easton, PA, 1985	
*	16	Widder, et al. (Eds.), Methods in Enzymology, <i>Academic Press</i> , 1985, Vol. 4	
	17	Wilens, S.H., "Tables of Resolving Agents and Optical Resolutions," <i>Univ. of Notre Dame Press</i> , Notre Dame, IN, E.L. Eliel (Ed.), 1972, page 268-298	
	18	Wilens, S.H., et al., "Strategies in optical resolutions," Tetrahedron Report Number 38, <i>Tetrahedron</i> , 1977, 33, 2725-2736	
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U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	19	4,104,396	08/01/78	Huebner		
	20	4,129,655	12/12/78	Huebner		
	21	5,767,116	06/16/98	Kerrigan		

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	22	WO 90/02122	03/08/90	PCT		
	23	WO 97/17343	05/15/97	PCT		
	24	11 180 979	06/07/99	Japan		

EXAMINER	DATE CONSIDERED
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